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CONGRESS LIKELY TO APPROVE NEW CIA CONTROLS
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WASHINGTON

Robert Gates, President Reagan's choice as the next CIA director, is promising to work closer with Congress than some of his secretive predecessors, but lawmakers still have doubts and are expected to tighten controls on undercover CIA operations.

Gates told the Senate Intelligence Committee last week at his confirmation hearing to replace CIA Director William Casey that he intends to inform lawmakers of all covert operations before they happen.

But despite his promises, Congress is likely to move swiftly ahead on new legislation to tighten the reins on the intelligence community and require it by law to inform lawmakers before embarking on covert operations. New laws are likely by next year, according to congressional aides.

At the hearing, members questioned Gates closely about his conduct in the Iran arms-Contra aid affair and his failure to inform Congress when he learned money from secret U.S. arms sales to Iran may have been diverted to the Nicaraguan rebels.

Despite the sometimes critical questioning, Gates appears heading toward confirmation as the youngest director in the CIA's history.

The committee will vote on Gates's confirmation in March after reviewing the presidential Tower Commission's report on the National Security Council's role in the affair and after recalling Gates for testimony in closed session. The three-member commission, appointed by Reagan to investigate the NSC, is scheduled to issue its report Feb. 26.

"I think he'll do quite well," said Senate Republican leader Robert Dole. "I talked to a few Democrats on the committee and they thought he did quite well."

Committee members extracted a promise from Gates that the CIA will never again circumvent Congress in conducting covert operations. Gates said he would even consider resigning if there were another breakdown in communications

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between Congress and the intelligence agency.

Gates said his biggest regret was in not trying to get Reagan to rescind his Jan. 17, 1986, order authorizing the secret sale of weapons to Iran and ordering the CIA not to inform Congress.

When asked by Sen. Bill Bradley, D-N.J., what he would do if he ever discovered an order he had not known existed, Gates replied, "The first thing I would do would be to hop in a car and come up here (to tell the committee)."

"Well, you're learning, Mr. Gates," Bradley replied.

In two days of hearings, lawmakers made it clear they are angered over the secret sale of arms to Iran and the possible diversion of profits to the Contras for a number of reasons, including the administration's failure to inform them about the weapons sales for nearly 11 months.

Under a 1980 law, the CIA must tell Congress in a "timely fashion" about covert operations -- a provision passed to tighten controls over the intelligence community in the wake of past abuses.

But because of the vagueness of the law, members of Congress now say they intend to tighten it further and make it harder for the CIA to conduct covert operations without first informing Congress.

Gates, in his testimony, promised the committee to inform Congress about covert operations ahead of time unless there were an emergency, and in that case, notify Congress within a few days.

"I had a very strong sense of the importance of keeping the committee informed before this hearing began," Gates told reporters. "If confirmed, I intend to have a very good relationship with Congress."

Committee members were annoyed with Gates because he and Casey had hints of a diversion of funds as early as last October, but Casey did not mention the suspicions when he testified before the panel Nov. 21, 1986.

Gates acknowledged that he did not aggressively pursue evidence that money was being diverted because the CIA did want to be involved in gathering information about private financing for the Contras at a time when Congress banned all aid, direct or indirect, to the rebels.